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August 17, 2005

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**VIA FACSIMILE**

*ConnectU LLC v. Zuckerberg et al.*  
Civil Action No: 1:04-cv-11923 (DPW)

Dear Joshua:

We are disappointed that you are not able to meet and confer until after Monday August 22 at 11 am PST (2 pm EST). John and I are available on August 22 at 11 am PST to meet and confer.

We would like to resolve the outstanding discovery issues as soon as possible and are disappointed in the delay in resolving these issues. For example, it has taken much too long to obtain a response from counsel for the Facebook Defendants regarding the document requests we discussed in the July discovery conferences. In fact, you have not yet responded to our July 28, 2005 letter summarizing the results of the July discovery conferences. Defendants must produce the documents you represented you would produce during the July discovery conferences (other than the 23 pages sent on August 15, 2005), or that you were leaning toward producing, without further delay. Defendants have not produced any documents responsive to most of the document requests for which they represented they would produce documents. The 23 pages of production documents sent to us on August 15, 2005 are limited to financial documents (balance sheets, profit & loss summaries, and statements of cash flows). These 23 pages clearly do not fulfill Defendants' commitment in the July discovery conferences to produce responsive documents. See, e.g., document requests 85-89 directed to traffic to the website, identity of universities, number of persons registered to use the website, number of hits per day, etc. Defendants should produce responsive documents without further delay.

In addition, as also set forth in our July 28, 2005 letter, Defendant must amend their responses to the requests for document production accordingly, as requested in our previous letters. If you have decided not to produce some or all of the documents

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you agreed to produce or that you were leaning toward producing, please let us know right away.

With respect to our August 10, 2005 letter regarding deficiencies in Defendants' responses to ConnectU's interrogatories, we are disappointed that it has taken 12 days to have a simple meet and confer regarding our letter.

Lastly, in your August 16, 2005 e-mail, you mention that, in addition to Defendants' interrogatory responses, you would like to discuss the ConnectU deposition and the sufficiency of ConnectU's discovery. We will need more details as to the specific issues you are referring to with respect to the ConnectU deposition and the sufficiency of ConnectU's discovery, if you wish to discuss them at the meet and confer on Monday August 22.

In the future, we hope that we can meet and resolve discovery issues in a more expeditious manner.

Sincerely,



Troy E. Grabow

TEG

cc: Daniel K. Hampton, Esq.  
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